

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN STRETCH (CSBN 163973)
Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7359
Facsimile: (415) 436-7234
denise.barton@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|---|
| UNITED STATES OF AMERICA, |) | CR No. 07-0454 PJH |
| |) | |
| Plaintiff, |) | STIPULATION AND [PROPOSED] ORDER |
| |) | TO CONTINUE MOTIONS/TRIAL SETTING |
| v. |) | DATE AND TO EXCLUDE TIME UNDER 18 |
| |) | U.S.C. § 3161 |
| SHANNON BLAYLOCK, |) | |
| aka ARLANDYS RICHARDSON, |) | |
| aka "DADDY RICH", |) | |
| TAWAKONI SEATON, |) | |
| aka TONI, and |) | |
| LATOSHA GARDNER, |) | |
| |) | |
| Defendants. |) | |

This matter is on calendar for Motions / Trial Setting on Wednesday, February 20, 2008 at 1:30 pm. For the following reasons, counsel for the government and counsel for defendants Blaylock and Seaton, respectfully request to continue this matter to March 26, 2008 at 1:30 pm.

On February 2, 2008, counsel for the Government was injured in an accident and has been on medical leave for much of the time since that date. On February 20, 2008, counsel for the government will have a knee surgery, necessitating additional estimated two weeks medical leave following the surgery. Although counsel for the government intends to return to work as

1 soon as possible, she has been advised by her doctor that she should plan for a two-weeks
 2 absence following the surgery. Further, counsel for Seaton is unavailable on March 5, 2008;
 3 counsel for Blaylock is unavailable on vacation from March 6, 2008 through March 25, 2008.

4 Counsel for the government and counsel for defendant Blaylock and Seaton agree that the
 5 time between February 20, 2008 and March 26, 2008 is properly excluded pursuant to the
 6 Speedy Trial Act, Title 18 United States Code, sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv) for
 7 continuity of counsel. Although counsel for defendant Gardner does not contest the need for the
 8 continuance due to counsel for the government's medical situation and is available on March 26,
 9 2008, for the record, she objects to the continuance and exclusion of time for the reasons
 10 previously articulated in appearances before this Court.

11
 12 SO STIPULATED:

13
 14 JOSEPH P. RUSSONIELLO
 United States Attorney

15 DATED: February 14, 2008

16 /s/
 DENISE MARIE BARTON
 Assistant United States Attorney

17
 18 DATED: February 14, 2008

19 /s/
 MICHAEL STEPANIAN
 Attorney for SHANNON BLAYLOCK

20 DATED: February 14, 2008

21 /s/
 JODI LINKER
 Attorney for LATOSHA GARDNER

22
 23 DATED: February 14, 2008

24 /s/
 KENNETH WINE
 Attorney for TAWAKONI SEATON

25
 26 For the reasons stated above, the Court continues the date for Motions / Trial Setting
 27 from February 20, 2008, at 1:30 pm to March 26, 2008 at 1:30 pm. The Court finds that the for
 28 the foregoing reasons, the ends of justice served by granting the requested continuance outweigh

1 the best interests of the public and the defendant in a speedy trial and failure to do so would deny
2 the government continuity of counsel, taking into account the exercise of due diligence. See 18
3 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv). Accordingly, time shall be excluded from
4 February 20, 2008 through March 26, 2008.

5
6
7 SO ORDERED.

8
9
10 DATED: 2/15/08

